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**PLEASE REPLY TO:**

May 2, 2005

New Castle County- -Civil Division

**BY CM/ECF & FIRST CLASS MAIL**

The Hon. Kent A. Jordan  
United States District Court  
844 N. King Street  
Room 6325  
Lock Box 10  
Wilmington, DE 19801

**Re: Burks, et. al v. Rowe, et. al;  
C.A. No. 04-0165 KAJ**

Dear Judge Jordan:

Please allow this letter to serve as an interim status report filed on behalf of Defendants Robert Rowe and Robert Willoughby in the above-referenced civil action. These Defendants are present in this case by virtue of their employment with the State of Delaware's Department of Correction as Probation Officers.

From the Defendants' perspective, the nature of matters in issue relate to the legal viability of Plaintiffs' causes of action and whether the Defendants are entitled to qualified immunity defenses. Discovery is in progress in this matter. Defendants have responded to Plaintiffs' interrogatories and requests for production. The parties are currently discussing a potential mediation conference with Magistrate Judge Thyng.

The next scheduled event in this matter is a teleconference with Magistrate Judge Thyng scheduled for tomorrow, May 3, 2005, at 4:30 p.m. Currently pending before Your Honor is a Rule 12 Motion to Dismiss filed by the recently added Defendants Sue Rimmel and Property Advisory Group, Inc. According to the docket, Plaintiffs' answering briefs are due to Your Honor today.

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I remain available to address these matters in more detail or supplement this interim status report as may be requested by Your Honor.

Respectfully Submitted,

/s/ Aaron R. Goldstein

Aaron R. Goldstein

Deputy Attorney General

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